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SUBJECT: CIVAIR: BILINGUALISM AND AIR TRAFFIC CONTROL:
STATUS REPORT

REF: OTTAWA 3037, JULY 26, 1976

1. BEGIN SUMMARY. THE BILINGUAL AIR TRAFFIC CONTROL (ATC) QUESTION CONTINUES AS AN ACTIVE ISSUE IN CANADIAN POLITICS AND AVIATION. RECENT PUBLIC STATEMENTS BY THE PRIME MINISTER AND TRANSPORT MINISTER EMPHASIZING RESPECTIVELY THE RIGHTS OF FRANCOPHONES TO FLY IN QUEBEC USING THEIR OWN LANGUAGE AND THE GOC'S DETERMINATION TO CONTINUE SEARCHING FOR SAFE METHODOLOGY REGARDLESS OF THE OUTCOME OF THE CURRENT INQUIRY HAVE DRAWN APPROPRIATE FLAK FROM OPPOSING PARTIES. PRESS COVERAGE OF THE INQUIRY HEARINGS BY THE COMMISSION ESTABLISHED TO END LAST SUMMER'S STRIKE HAS BEEN IMPRESSIVE AND SERVES TO KEEP THE ISSUE CONTINUALLY IN THE PUBLIC MIND. THIS REPORT ATTEMPTS TO WRAP UP THE PRESENT STATE OF ATC DEBATE AND IDENTIFY POSSIBLE SITUATIONS WHICH MAY DISRUPT AIR SERVICES LATER IN 1977. END SUMMARY.

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2. THE COMMISSION OF INQUIRY INTO BILINGUAL AIR TRAFFIC SERVICES IN QUEBEC HEREAFTER, THE COMMISSION-- ESTABLISHED TO TERMINATE THE JUNE/JULY 1976 CANADIAN AIR TRAFFIC CONTROL ASSOCIATION (CATCA) AND THE CANADIAN AIRLINE PILOTS ASSOCIATION (CALPA) STRIKE-- BEGAN WORK IN MONTREAL JANUARY 17 AGAINST A BACKGROUND

OF SUSPICION AND RECRIMINATION THAT IS LIKELY TO KEEP THE ATC QUESTION SIMMERING FOR MUCH OF 1977. PROCEEDINGS TO DATE APPEAR LARGELY AN ORIENTATION COURSE ON AIR TRAFFIC CONTROL AND THE HISTORY OF THE FRENCH LANGUAGE PROBLEM THEREIN. ALL PARTIES ARE REPRESENTED BY BATTERIES OF ATTORNEYS (SOME FROM US) WITH EXTENSIVE RIGHTS OF CROSS EXAMINATION. THEY HAVE PUT GOVERNMENT WITNESSES (IN PARTICULAR, CANADIAN AIR TRANSPORTATION ADMINISTRATOR WALTER MCLEISH) THROUGH MARATHON GRILLING SESSIONS. PRINCIPAL PRIVATE PROTAGONIST OF EXPANDED BILINGUAL SERVICES, QUEBEC-BASED LES GENS DE L'AIR, IS BOYCOTTING COMMISSION PROCEEDINGS, AS WELL AS MOT SIMULATION STUDIES RE INSTRUMENT FLIGHT RULES (IFR) PROBLEM, AS PROTEST AGAINST FAILURE OF GOC IMMEDIATELY TO COMPLETE INTRODUCTION OF BILINGUALISM INTO VISUAL FLIGHT RULES (VFR) SYSTEM. PRESENT STAGE OF PROCEEDINGS--LARGELY DEVOTED TO VFR IN MONTREAL-AREA AIRPORTS--SEEMS LIKELY TO LAST SEVERAL MORE WEEKS AND NEXT STAGE--DEVOTED TO IFR--WILL PROBABLY TAKE WELL OVER A YEAR.

3. EMBASSY TCO HAS RECENTLY HAD OPPORTUNITY DISCUSS ATC SITUATION WITH GENS DE L'AIR PRESIDENT ROGER DEMERS, AS WELL AS WITH PIERRE ARPIN (DIRECTOR GENERAL, CIVIL AERONAUTICS, MOT), AND OTHER MOT AND INDUSTRY SOURCES. ALL APPEARED TO AGREE THAT THERE WERE NO SIGNIFICANT PROBLEMS RESULTING FROM THE INTRODUCTION OF VFR BILINGUALISM AT QUEBEC CITY AND SIX SMALLER AIRPORTS WITH CONTROL TOWERS IN 1974 AND 1975. DEMERS INDICATED HIS BOYCOTT COULD BE SHORTLIVED IF, AS EXPECTED, COMMISSION MAKES INTERIM REPORT AND MOT PROMPTLY LIMITED OFFICIAL USE

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ACCEPTS RECOMMENDATION THAT VFR BILINGUAL COMMUNICATIONS BE INTRODUCED IMMEDIATELY IN MONTREAL AREA, ESPECIALLY AT ST. HUBERT (THE VERY ACTIVE GENERAL AVIATION FACILITY SOUTH OF THE CITY) AND AT MIRABEL. DEMERS BASICALLY SEES AN IDENTITY OF INTEREST OF HIS ORGANIZATION IN ATTEMPTING INTRODUCE BILINGUALISM WITH THAT OF TRANSPORT MINISTER LANG AND TOP-LEVEL MOT OFFICIALS IN DOING SO ON A GRADUAL BUT STEADY BASIS. HOWEVER, HE RESENTS THE GOVERNMENT'S BACKING AWAY FROM ITS POLICY IN THE VFR AREA WITH RESPECT TO MONTREAL AS PART OF THE SETTLEMENT OF LAST JUNE'S STRIKE. (HE ALSO SUGGESTED THERE WERE HIGH MOT OFFICIALS NOT SUPPORTING THE MINISTRY'S EFFORTS.)

4. ARPIN ALSO CONSIDERS IT PROBABLE THAT COMMISSION WILL MAKE INTERIM REPORT WHICH MOT COULD ACCEPT RECOMMENDING EXTENSION OF VFR BILINGUALISM TO MONTREAL AREA. SAID THIS WOULD NOT HAVE TO BE LAID BEFORE PARLIAMENT--ONLY THE FINAL REPORT OF THE COMMISSION WOULD REQUIRE THIS.

HOWEVER, EXTENSION WOULD LIKELY APPLY IMMEDIATELY ONLY TO ST. HUBERT (WHERE SOME 30-35 PERCENT OF THE COMMUNICATIONS ARE ALREADY INFORMALLY IN FRENCH); INTRODUCING BILINGUAL VFR INTO THE DORVAL TERMINAL RADAR SERVICE AREA (TRSA), AND THE MIRABEL CONTROL ZONE (CZ)--WHERE THE SAFETY OF COMINGLING BILINGUAL VFR COMMUNICATIONS WITH UNILINGUAL IFR ONES MAY NOT BE SELF-EVIDENT--WOULD REQUIRE MORE TIME. FURTHERMORE, FROM THE COMMISSION'S QUESTIONING IN ITS FIRST MONTH OF HEARINGS, ARPIN FEELS IT MAY APPROVE A PROGRAM--FOR THESE TWO LOCATIONS--WITH CONDITIONS WHICH COULD BE

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ACCEPTED BY GENS DE L'AIR IF IT WISHED TO DO SO. ARPIN REGARDED IT AS ENCOURAGING THAT CALPA HAD RECENTLY INDICATED IT WOULD HAVE NO FURTHER OBJECTIONS TO BILINGUALISM AT ST. HUBERT. HE BELIEVES IT WOULD STRONGLY OBJECT TO IT THOUGH AT THE OTHER TWO MONTREAL LOCATIONS WHERE THERE WOULD BE MANY SAFETY QUESTIONS THAT CANNOT BE UNEQUIVOCALLY ANSWERED A PRIORI ON THE BASIS OF STUDIES AND HEARINGS. HOWEVER, A COMMISSION-ORDERED SET OF CONDITIONS MAY PROVIDE THE BASIS FOR EMPIRICAL EFFORTS THAT WOULD SHOW SAFE COMINGLING IS POSSIBLE AND THAT THIS MIGHT SATISFY CALPA. BUT STRONG OPPOSITION FROM CATCA IS EXPECTED TO BE MAINTAINED.

5. THE IFR QUESTION IS, OF COURSE, THE MORE IMPORTANT AND THE MORE DIFFICULT FOR BOTH MOT AND THE COMMISSION TO ASSURE THAT WHEN BILINGUALISM IS INTRODUCED IT BE

DONE WITH THE HIGHEST STANDARDS OF SAFETY. MOT'S OBJECTIVE IS, AMONG OTHER THINGS, TO CREATE A CERTIFICATED BILINGUAL CONTROLLER GROUP. IT IS PREPARING TO START AN EXTENSIVE SIMULATOR TESTING PROGRAM WHICH WILL LAST AT LEAST A YEAR. THIS REQUIRES PARTICIPATION OF CONTROLLERS WHO ARE BILINGUAL. LIMITED OFFICIAL USE

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AS PART OF ITS BOYCOTT EXERCISE GENS DE L'AIR HAS REFUSED TO COOPERATE IN SUPPLYING SUCH CONTROLLERS. HOWEVER, MOT HAS RECRUITED A GROUP OF SOME 30 VOLUNTEERS AND IS SATISFIED THAT THEY ARE AN ADEQUATE SAMPLE, A VIEW WHICH GENS DE L'AIR DISPUTES. CATCA, HOWEVER, IS FULLY SUPPORTING THE SIMULATION PROGRAM, BUT TAKES THE POSITION THAT THE "BURDEN OF PROOF" LIES WITH THE PROPONENTS OF BILINGUALISM. IN ANY EVENT, THE SIMULATION PROGRAM WILL COMMENCE THIS SPRING AND THE COMMISSION WILL CONTINUE ITS OWN HEARINGS AND CONTRACTOR STUDIES TO PROVIDE A PUBLIC RECORD REPRESENTING A FRAMEWORK WITHIN WHICH TO JUDGE THE SIMULATION RESULTS WHEN AVAILABLE. SHOULD THE COMMISSION FIND BILINGUAL ATC SAFE, A CATCA OFFICIAL HAS TOLD LABATT HIS ORGANIZATION WOULD ACCEPT THAT.

6. ARPIN AND HIS SUPERIOR MCLEISH ARE BASICALLY OPTIMISTIC THAT OVER TIME A FULLY SAFE BILINGUAL PROGRAM CAN BE SMOOTHLY DEVELOPED FOR BOTH VFR AND IFR IN QUEBEC AND INSIST THAT SAFETY REQUIRES IT FOR AT LEAST THE NEXT TWENTY YEARS IN VIEW OF THE INCREASING NUMBER OF QUEBEC PILOTS WHO DO NOT COMMUNICATE WELL IN ENGLISH. OVER THE LONGER TERM, THEY FORESEE THE GRADUAL ELIMINATION OF VOICE COMMUNICATIONS IN ANY LANGUAGE AS NEW SYSTEMS ARE DEVELOPED AND AIRCRAFT ARE EQUIPPED WITH COMPUTER-TYPE DEVICES WHICH CAN PROVIDE ATC COMMUNICATIONS. THESE WOULD PROBABLY FIRST BE INTRODUCED IN COMMERCIAL AIRCRAFT WHERE IFR IS THE NORM. LOWER RANKING MOT OFFICIALS DO NOT APPEAR TO SHOW THEIR LEADERS' OPTIMISM, BUT ARE UNWILLING TO DISCUSS AT LENGTH THEIR RESERVATIONS EVEN PRIVATELY. HOWEVER, TCO HAS HEARD AT LEAST TWO SENIOR MIDDLE-MANAGEMENT TYPES (BOTH ANGLOPHONES) BEGRUDGE THE CANADIAN POLITICAL CLIMATE ON LANGUAGE QUESTIONS AND HINT THAT ATC IS BEING FORCED INTO A POLITICAL ARENA AT THE EXPENSE OF SAFETY. THIS IS ALSO THE VIEW OF MANY AIRLINE INDUSTRY OFFICIALS. LIMITED OFFICIAL USE

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NEVERTHELESS, THE AIR TRANSPORT ASSOCIATION OF CANADA HAS ENGAGED ITS OWN SPECIALIST ON THIS QUESTION AND, WHILE CRITICALLY EXAMINING THE TECHNICAL PROCEDURES AND ASSERTIONS MADE, HE IS ALSO HELPING THE INDUSTRY TO RECOGNIZE THE POLITICAL FACTS OF LIFE AND IS SECURING ACTIVE COOPERATION FROM MOST CARRIER MANAGERMENTS. THIS DOES NOT EXTEND TO THE PILOTS. THE CANADIAN OWNERS AND PILOTS ASSOCIATION (COPA)--ALONG WITH CATCA AND CALPA--APPEARS STRONGEST IN ITS OPPOSITION TO BILINGUALISM EVEN THOUGH COPA HAS SOME FRANCOPHONE MEMBERS.

7. BOTH MOT AND INDUSTRY PEOPLE ARE CONCERNED ABOUT THE POSSIBLE EVENTUAL EXTENSION OF THE PROGRAM OUTSIDE OF QUEBEC AND FEEL ONCE BILINGUALISM HAS BEEN INTRODUCED IT WILL BE DIFFICULT TO KEEP DEMANDS FOR IT FROM SPREADING EVEN THOUGH THE NUMBER OF FRANCOPHONE PILOTS IN ONTARIO, THE EAST, AND WEST IS VERY LIMITED. INDUSTRY PEOPLE POINT TO THE COSTS THAT EXTENSION WILL ENTAIL AND WHICH WILL PROBABLY BE SUBJECT TO RECOVERY THROUGH USER CHARGES. THERE ARE ALSO MOT ORGANIZATIONAL PROBLEMS. TRANSPORT MINISTER LANG HAS INDICATED A NEXT STAGE MIGHT BE BILINGUAL COMMUNICATIONS AT OTTAWA WHICH IS PART OF A STRONGLY ANGLOPHONE TORONTO-CENTERED ATC REGION WHERE PERSONALITY PROBLEMS WOULD BE MUCH MORE NUMEROUS THAN IN QUEBEC WHICH HAS A RELATIVELY HIGH PERCENTAGE OF FRANCOPHONE CONTROLLERS. THERE IS ALSO A DEMAND FROM GENS DE L'AIR THAT ALL ATC SERVICES IN QUEBEC BE PROVIDED FROM QUEBEC TOWERS. THIS WOULD REDUCE THE ROLE OF THE MONCTON (NEW BRUNSWICK) AIR

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TRAFFIC CENTER. WHILE COMMUNICATIONS FROM EASTERN QUEBEC COULD BE ORIENTED TO MONTREAL THERE WOULD BE SOME JOB LOSS AT MONCTON WHICH COULD RAISE JOB SECURITY QUESTIONS. IN RECOGNIZING THESE PROBLEMS, ARPIN TENDS TO TEMPER SOMEWHAT HIS OPTIMISM AT LEAST RESPECTING THE SMOOTHNESS WITH WHICH THE BILINGUAL APPROACH CAN BE DEVELOPED.

8. THE OUTLOOK IS FOR A LEISURELY EXAMINATION OF THE WHOLE QUESTION OF ATC BILINGUALISM WHICH WILL PROBABLY NOT RESULT IN A DEFINITIVE REPORT BEFORE MID-1978. WHETHER THIS WILL TAKE PLACE IN AN ENVIRONMENT FREE FROM DISRUPTION OF AIR SERVICES REMAINS TO BE SEEN. ARPIN AND HIS COLLEAGUES TOLD TCO THEIR CONCERN ABOUT TWO POSSIBLE EVENTS WHICH COULD PROVIDE A DRAMATIC INTERRUPTION OF THE SCENARIO: (A) QUEBEC IS BACKING GENS DE L'AIR IN APPEALING A LOWER COURT DECISION WHICH FOUND THAT THE AERONAUTICS ACT OVERRIDES THE OFFICIAL LANGUAGES ACT IN RESPECT TO ATC AND THUS SUPPORTS MOT'S 1975 DECISION TO RESTRICT BILINGUAL COMMUNICATION IN QUEBEC TO THE SEVEN CONTROL TOWERS OUTSIDE OF MONTREAL. SHOULD THE SUPREME COURT REVERSE THIS RULING AND FIND MOT HAS AN OBLIGATION TO PROVIDE BILINGUAL LIMITED OFFICIAL USE

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ATC SERVICES IN THE MONTREAL AREA (AND PERHAPS ELSEWHERE IN THE COUNTRY) IMMEDIATELY A CRISIS WOULD EXIST WITH BOTH CALPA AND CATCA. (B) CATCA IS PRESENTLY ENGAGED IN COLLECTIVE BARGAINING TO REPLACE THE LABOR CONTRACT WHICH EXPIRED DECEMBER 31 AND MOT FEARS IT WILL AGAIN DEMAND A PROHIBITION ON ATC BILINGUALISM. THE ISSUE IS PRESENTLY BEING PURSUED ON A CASUAL BASIS. HOWEVER, NEGOTIATIONS ARE EXPECTED TO COME TO A HEAD IN LATE JUNE OR EARLY JULY, AND ARPIN INDICATED THERE IS THE POSSIBILITY OF A STRIKE THREAT AGAIN OVER THE ISSUE. HOWEVER, HE WAS OPTIMISTIC A STRIKE COULD BE AVERTED AND SAID THAT EVEN IF CALLED--SINCE THERE WILL BE NO EVENT COMPARABLE TO THE OLYMPICS THIS YEAR--THE CHANCES OF IT BEING PROTRACTED ARE SLIM.

9. THERE IS ALSO A THIRD POSSIBLE EVENT WHICH COULD CAUSE A DISRUPTION IN THE SYSTEM. THE QUEBEC WING OF CATCA--DISILLUSIONED BY THE ASSOCIATION'S POSITION ON FRENCH LANGUAGE MATTERS--IS SEEKING TO BREAK AWAY AND BE RECOGNIZED AS AN INDEPENDENT BARGAINING UNIT. HOW AND WHEN THIS MAY TAKE PLACE IS NOT CLEAR TO US, BUT IT APPEARS TO CONTAIN WITHIN ITSELF MORE SEEDS OF HIGH DRAMA.

10. SOMEWHAT DIFFERENT FROM ARPIN'S VIEW, CATCA VICE
PRESIDENT MIKE TONNER HAS TOLD LABATT THE NEW CONTRACT
NEGOTIATIONS ARE PROCEEDING VERY SLOWLY AND THAT
BILINGUALISM IS NOT AN ISSUE. HOWEVER, CATCA INSISTS ON
HOLDING MINISTER LANG TO HIS PROMISE OF LAST SUMMER
THAT NO FURTHER EXPANSION OF FRENCH WILL BE INTRODUCED
UNTIL THE COMMISSION HAS COMPLETED ITS REPORT. CATCA
HAS AGREED, HOWEVER, TO PERMIT FRENCH FOR CIVILIAN
AIR TRAFFIC AT VAL D'OR AND BAGOTVILLE. HE ALSO NOTED
THAT THE HEARINGS ON THE REQUEST OF THE QUEBEC GROUP OF
AIR TRAFFIC CONTROLLERS TO BE CERTIFIED AS A SEPARATE
BARGAINING UNIT WILL BE HELD MARCH 22-23. ENDERS
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